

SEC. 10-1.3075 – MAJOR SITE PLAN REVIEW

SEC. 10-1.3076 - PURPOSE.

Major site plan review ensures that new and redeveloped large-scale development will achieve General Plan and other City goals, policies and regulations; that circulation components will interconnect with the overall street, bicycle, and pedestrian network of the district; that the development will incorporate sustainability elements; and that the overall site, building, landscaping, circulation and architectural design of the buildings will make a positive contribution to the neighborhood and City.

SEC. 10-1.3077 - WHEN REQUIRED.

Development as specified in the zoning district regulations.

SEC. 10-1.3078 – CONCURRENT PROCESSING

- a. When an application for a major site plan review involves a subdivision map requiring approval by an advisory agency, as that term is defined in the City's Subdivision Ordinance, the project shall be processed and reviewed concurrently by the Planning Commission. An application approved by the Planning Commission shall also be reviewed by the City Council on appeal or on a call-up basis. The action of the City Council shall be final.
- b. In the event a condominium or any other type subdivision involves property for which a major site plan review has previously been approved, the Planning Director, the Commission or the City Council shall have the authority to modify said approved site plan review or the conditions of approval of same to insure that the site plan review and the subdivision are compatible.
- c. Use Permit. When applicable zoning district regulations require both major site plan review and conditional use permit approval, an application for a conditional use permit constitutes an application for both. Information as required for site plan review must be furnished by the applicant, and decisions regarding the site plan must be made according to the guidelines set forth for site plan review.

SEC. 10-1.3079 - APPLICATION FORM AND SUBMITTAL.

- a. An application for major site plan review shall be submitted as specified in Section 10-1.2815.
- b. Applications for Major Site Plan Review shall contain plans, sections, diagrams, renderings and narrative necessary to establish the physical scale and character of the development and demonstrate the relationship among its constituent land uses, buildings and structures, public facilities, employee amenities and open space and to demonstrate how the proposed development will comply with the General Plan, Zoning Ordinance, Industrial Design Guidelines and standards, and any other applicable plan or program, including:

- (1) Project Narrative. A generalized narrative describing the location of the site, its total acreage, and the existing character and use of the site and adjoining properties; the concept of the proposed development, including proposed uses and activities; and the relation of the development to General Plan.
- (2) Land Use Plan. A land use plan along with accompanying tables or other diagrams that identify proposed land uses. Any permitted or conditional use authorized by this Zoning Ordinance may be as part of a Master Site Plan Review provided the use is consistent with the General Plan land use designation(s) for the property.
- (3) Development Schedule. An anticipated development schedule, including anticipated timing for commencement and completion of each phase of development, tabulation of the total number of acres in each separate phase, and percentage of such acreage to be devoted to particular uses.
- (4) Context Map. A map showing the perimeter boundaries of the project site, the perimeter of the ownership, the location and dimensions of any existing property lines and easements within the site, and all uses, circulation components, and structures within a 100-foot radius of the project area boundaries;
- (5) Circulation Diagram. A circulation diagram indicating proposed movement of vehicles, goods, and pedestrians within the site and to and from adjacent areas, including streets and driveways, transit stops, bicycle paths, sidewalks and pedestrian ways, and off-street parking and loading areas;
- (6) Site Plan. A site plan indicating existing and proposed uses, location and dimension of buildings and structures, gross floor area of existing and proposed structures, identification of structures to be demolished or removed, and type and location of employee amenities;
- (7) Open Space and Landscaping Plan. An open space and landscaping plan including landscape concept and type of plant materials, proposed open space or recreation areas, and a description of intended improvements to and maintenance of the landscaping and open area of the property;
- (8) Building Design. Dimensioned building elevations showing building design and architectural concepts;
- (9) Sign Program. A comprehensive sign program, including the size and location of all proposed signs;
- (10) Employee Amenities located on the site; and,
- (11) Other Information. Any other information deemed necessary by the Director to ascertain if the project meets the required findings for a Master Site Plan Review.

#### SEC. 10-1.3080 - ADMINISTRATIVE OPTIONS.

Major Site Plan Review shall be reviewed by the Planning Commission. Director may refer a major site plan review application to the Planning Commission, with or without a recommendation. The Planning Commission may approve or conditionally approve, or disapprove the application based on the findings listed in Section 10-1.3081.

If after applying for major site plan review the applicant fails to provide changes or additional information necessary to make a decision on the project and there is no activity taking place in connection with the application for a period of six months, the application shall be closed and the applicant so informed.

SEC. 10-1.3081 - FINDINGS.

The approving authority may approve or conditionally approve an application when all of the following findings are made:

- a. The proposed development is consistent with the General Plan, Zoning Ordinance, Design Guidelines, and any other applicable plan or program; and
- b. The proposed development is consistent with the purpose, design guidelines and applicable standards of the Industrial District and applicable Industrial subdistricts; and
- c. The subject site is physically suitable for the type and intensity of the land use being proposed; and
- d. The proposed development will be compatible with the planned land use character of the surrounding area and make a positive impact to the site and surrounding area; and
- e. The proposed development will not have a substantial adverse effect on surrounding development and land uses.

SEC. 10-1.3082 - NOTICE OF DECISION AND EFFECTIVE DATE.

The decision of the Planning Director shall take effect in accordance with the provisions of Section 10-1.2825 and notice shall be given pursuant to Section 10-1.2820. Approvals and conditional approvals may be granted when the findings listed for approval in Section 10-1.3025 are met.

SEC. 10-1.3083 - APPEALS.

- a. Decision of Planning Commission Appealed to City Council.
  - (1) The decision of the Planning Commission may be appealed to the City Council in accord with the appeals process detailed in Section 10-1.2845. The Council may approve or conditionally approve, or disapprove the application based on the findings listed in Section 10-1.3080.
  - (2) In the event significant new evidence, which may include substantial changes in the proposal, is presented in conjunction with the appeal, the matter shall be returned to the Planning Commission for further consideration and adoption.

SEC. 10-1.3084 - REFERRALS.

- a. The Planning Director may refer a major site plan review application to the Planning Commission at any time, with or without a recommendation. The Planning Commission shall then conduct a public hearing, for which notice shall be given in accord with Section 10-1.2820.

- b. The Planning Commission may refer a major site plan review application to the City Council at any time, with or without a recommendation. The Council shall then conduct a public hearing, for which notice shall be given in accord with Section 10-1.2820.
- c. On referral, the Planning Commission or the Council, as appropriate, shall approve or conditionally approve the application based on the findings listed in Section 10-1.3080. The Planning Commission or the Council must disapprove the application if it is unable to make any of the required findings.

SEC. 10-1.3085 - LAPSE OF APPROVAL.

- a. General. Major Site Plan Review approval is void 36 months after the effective date of approval unless:
  - (1) Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of the approval has been granted by the Planning Director.
  - (2) If a building permit is issued for construction of improvements authorized by the site plan review approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the site plan review approval. A request for an extension must be submitted in writing to the Planning Division at least 15 days prior to the above date.
  - (3) Business operations have commenced in accordance with all applicable conditions of approval.
- b. 24-Month Extension.
  - (1) The Planning Director may grant an extension(s) for whatever time period is deemed appropriate, provided that the cumulative total of time extension(s) does not exceed 24 months. Decisions of the Planning Director regarding time extensions(s) may be appealed to the Planning Commission or the City Council, as appropriate.
  - (2) A request for an extension of time must be filed with the Planning Division at least 15 days prior to the anniversary date of approval, and action on the request shall be taken within 30 days.
  - (3) Notice of said action shall be given pursuant to Section 10-1.2820.
  - (4) In making a decision on approval of an extension, the following shall be considered:
    - (a) the cause for delay in submittal of the building permit; and
    - (b) whether the proposal is in conformance with existing development regulations.
  - (5) Conditions of approval may be added or modified by the Planning Director as a result of the processing of an extension of time.

SEC. 10-1.3086 - REVOCATIONS AND MODIFICATIONS.

- a. In accord with the notice and hearing provisions detailed in Sections 10-1.2820 and 10-1.2825, the Planning Director or the Planning Commission may revoke a major site plan review, or modify or add to the conditions of approval, or refer the matter to the City Council, with or without a recommendation, for failure to comply with or complete all conditions of approval or improvements indicated on the approved development plans. Requests for modifications may be approved by the Planning Director without a public notice or hearing or notice of such item, if the Planning Director determines that such a proposed modification is of a minor nature.
- b. Major site plan review approval may be revoked when the Planning Director or Planning Commission or, upon referral, the City Council finds that:
  - (1) The use or the manner in which it is conducted, managed, or operated impairs the character and integrity of the zoning district and surrounding area; or
  - (2) The applicant has not fully complied with or completed all conditions of approval or improvements indicated on the approved development plan and modification of the conditions or plan would not be in the public interest, or would be detrimental to the public health, safety, or welfare.

SEC. 10-1.3087 - REAPPLICATION.

A major site plan review permit that has been disapproved or revoked may not be reapplied for within one year of the final decision to disapprove or revoke said application unless the Planning Director finds that new evidence, a change of conditions, or a change in the project justifies reconsideration.